

opportunities. We have given them...we're the only state in the nation that authorizes local option gambling, primarily in the form of keno, and this is revenue that goes straight to the cities. It goes straight to the cities. They conduct the games, they get the benefits of the revenue, and at the same time, they sit there and tell us that they can't give up 2 percent of the gross that goes to charitable gaming. It's just not fair. I'll continue to say that. I'll continue to drive that point home any way I can, and I probably should stop before I get any further along those lines, and I'll give the time back to Senator Hilgert.

SENATOR BERNARD-STEVENS: Senator Hilgert.

SENATOR HILGERT: Thank you, Senator Will. Whether it's Senator Will, Senator Hall or now Senator Hilgert fighting for this, this tax needs to be reduced. At this time, I withdraw my amendment and my motion.

SENATOR BERNARD-STEVENS: Motion to return is withdrawn. Mr. Clerk, are there any further motions on LB 1255?

CLERK: I have nothing further on LB 1255, Mr. President.

SENATOR BERNARD-STEVENS: Mr. Clerk, let's go to LB 1296.

CLERK: Mr. President, LB 1296. Senator Lindsay would move to return the bill for a specific amendment. (AM4413 is found on pages 1948-49 of the Legislative Journal.)

SENATOR BERNARD-STEVENS: Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. President, members. This amendment would allow brewpubs to...excuse me...wrong amendment. (laughter) You get on a roll and you just can't get off of it. LB 1296...or what this amendment would do, and I'm getting it passed around to you now. There was a decision of the Court of Appeals...or excuse me, of the Supreme Court earlier...well, during the session in a case entitled Metro Renovation v. State of Nebraska Department of Labor, in which the Nebraska Supreme Court said that Court of Appeals opinions do not have any precedential value. By that we mean that they found that the Court of Appeals decisions were the law of the case only, only applies to that particular case. That posed problems...and this